

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Washino et al

Serial No.:

Group No.:

Filed:

Examiner:

For: DUAL COMPRESSION FORMAT DIGITAL VIDEO PRODUCTION SYSTEM

REISSUE OF U.S. PATENT NO. 5,488,433
ISSUED JANUARY 30, 1996

REISSUE DECLARATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I, Kinya Washino, being duly sworn, do hereby depose and state as follows:

1. I reside at 80 Hamilton Ave., Dumont, New Jersey.

2. I am a joint inventor of the subject matter claimed in U.S. Patent No. 5,488,433.

3. Barry Schwab is a joint inventor of the subject matter claimed in this patent.

4. I believe this patent to be at least partly inoperative or invalid in that we claim less than we had the right to claim in the patent.

5. In particular, we disclosed subject matter having to do with the simultaneous recording of video program materials onto different media in a manner which the claims as issued do not reflect. In addition, we disclosed subject matter with regard to scripting and other functions which are entirely absent from the claims in their current state.

6. This claiming of less than we had the right to claim occurred through error which we recently discovered and promptly acted

upon.

7. Specifically, during 1997 we entered into a series of licensing negotiations with the Matsushita Electric Industrial Company, Ltd. in relation to our issued patent. In November, 1997, we were presented with a licensing agreement based upon our patent, including terms and conditions which were unacceptable to us.

8. Since Matsushita continued to be very much interested in completing the licensing agreement, we began a very detailed and in-depth review of our issued patent to compare our scope of protection to the terms and conditions of the contract effect at that time.

9. During the months of November and December, in particular, we asked our attorney, John G. Posa, to review the issued patent to ensure that there was not subject matter that we had neglected to claim, but to which we were entitled to.

10. Following a series of telephone communications, we reached the conclusion that certain subject matter, as identified above, was not represented in the claims, and that our issued patent was at least partially inoperative for failing to claim all that we had a right to claim in the patent.

11. Immediately after the holiday season, beginning in January, we asked Mr. Posa to prepare this reissue application with the revised claims that we submitted in this application.

12. These errors in claiming less than we had a right to claim in the patent arose without any deceptive intention on the part of myself or my co-inventor, Mr. Barry Schwab.

13. I also acknowledge my duty to disclose to the patent Office all information known to me to be material to the patentability of our invention, and have not identified any further references apart from those submitted or cited during the prosecution of our issued

FO9049-48400650

GIFFORD, KRASS, GROH, SPRINKLE, PATMORE, ANDERSON & CITKOWSKI, P.C. 280 N. OLD WOODWARD AVENUE, STE 400, BIRMINGHAM, MI 48009-5394 (248) 647-6000

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Atty Docket: FNI-02502/03

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patent.

14. I hereby appoint all of the attorneys of Gifford, Krass, Groh, Sprinkle, Patmore, Anderson & Citkowski, P.C. as my legal representatives in this matter. All communications should be directed to John G. Posa, Esq. at the following address:

GIFFORD, KRASS, GROH, SPRINKLE,
PATMORE, ANDERSON & CITKOWSKI, PC
280 N. Old Woodward Ave.
Suite 400
Birmingham, MI 48009
Telephone (734) 913-9300

WHEREFORE, I hereby subscribe my name to the foregoing specification and claims, Declaration and Power of Attorney.

Date:

1/26/98

Kinya Washino



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REISSUE DECLARATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I, Barry H. Schwab, being duly sworn, do hereby depose and state as follows:

1. I reside at 5298 Cedarhurst, West Bloomfield, Michigan.
2. I am a joint inventor of the subject matter claimed in U.S. Patent No. 5,488,433.
3. Kinya Washino is a joint inventor of the subject matter claimed in this patent.
4. I believe this patent to be at least partly inoperative or invalid in that we claim less than we had the right to claim in the patent.
5. In particular, we disclosed subject matter having to do with the simultaneous recording of video program materials onto different media in a manner which the claims as issued do not reflect. In addition, we disclosed subject matter with regard to scripting and other functions which are entirely absent from the claims in their current state.
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12. These errors in claiming less than we had a right to claim in the patent arose without any deceptive intention on the part of myself or my co-inventor, Mr. Kinya Washino.

13. I also acknowledge my duty to disclose to the patent Office all information known to me to be material to the patentability of our invention, and have not identified any further references apart from those submitted or cited during the prosecution of our issued

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Atty Docket: FNI-02502/03

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patent.

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PATMORE, ANDERSON & CITKOWSKI, PC
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WHEREFORE, I hereby subscribe my name to the foregoing specification and claims, Declaration and Power of Attorney.

Date: 1/29/98

Barry H. Schwab